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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/071,768	
	Filing Date	February 7, 2002	
	First Named Inventor	Edmund M. Kwan	
	Group Art Unit	3629	
	Examiner Name	Igor Borisson	
Total Number of Pages in This Submission	4	Attorney Docket Number	

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edmund M. Kwan
Signature	Edmund M. Kwan
Date	June 25, 2002

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**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Edmund M. Kwan
APPLICATION NO. 10/071,768
FILED: February 7, 2002
TITLE: Billing Method and System for Collaboration Solutions
EXAMINER: Igov Borisson
GROUP ART NO.: 3629

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**PETITION TO MAKE SPECIAL
UNDER 37 C.F.R. 1.102.**

SIR:

Pursuant to the provisions of 37 C.F.R. 1.102 of the Rules of Practice in Patent Cases, enclosed herewith is a Petition To Make Special which taking use of the exception conditions under the category VIII. SPECIAL EXAMINING PROCEDURE FOR CERTAIN NRE APPLICATIONS – ACCELERATED EXAMINATION.

A new application must be complied with each of the following items:

(A.) Submits a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h)

Enclosed please find a check made to the Patent Office in the amount of \$130.00

(B.) Presents all claims directed to a single invention.

Yes.

(C&D) Submits a statement(s) that a pre-examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc.

I have a good knowledge of the pertinent prior art by having performed patent searches on your web site www.uspto.gov. I searched using the following key words:

Billing, method, software, Internet, collaboration, enterprise, cost, sharing, workflow.



Petition to make special – Page two

I performed different searches with different combinations of above search words. I have submitted the two patents that I felt were the closest resembling of my invention via Information Disclosure Statements. I also submitted both of them again on my previous petition to make special under perspective manufacturing, which I was told was an incorrect category for my application.

US Patent number: 6,119,109

US Patent number: 6,035,281

I assume I do not need to submit both copies again since they should be in my file.

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- (E.) A detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR. 111 (b) and (c) and how the claimed subject matter is patentable over the reference.

The invention of my filed patent application titled Billing Method and System for Collaboration Solution applicable whereby clients of a service provider, whom provides service to the clients by hosting an enterprise collaboration software solution, would use a system of cost sharing to manage solution subscription cost sharing among members of their collaboration communities.

This billing method applies to scenarios whereby the clients are responsible to pay the entire subscription fees to the service provider. However, the client's subscription fee can be offset by the bonus that is generated by the subscription fees of partners in his collaboration community. As stated in my patent, partners are with whom the clients collaborate via the collaboration solution provided by the service providers. There are also those participants who are not paid-subscribers, whose subscription fees are essentially paid for by either the participants or the clients, depending on the detail of the subscription plans.

In summary, the business model to which my system and method will apply consists of four parties, namely; 1) Clients, 2) Service Provider, 3) Subscribers, 4) Non-subscribers.

In US patent number 6,119,109, whereby the billing system realizes a mechanism for paying the fees or charges to a provider of the information, a person having the copyright or a distributor of the information. In this patent the users pay the fees to the provider, who will transfer a portion of the fees to another person who has the copyrights

The business model to which this system and method will apply consists of only three parties, namely. 1) User, 2) Service Provider, 3) The party who owns the copyright.



Petition to make special – Page three

In patent number 6,035,281, whereby the users pay the service provider (OLSP). The business model to which this system and method will apply consists of only two parties, namely; 1) Service Provider, 2) Users

The difference between my method and the two references can be summarized as follows:

	10/071,768	6,035,281	6,119,109
No. of parties involved in billing method	4 See above	2 See above	3 See above
Types of users	3 Clients subscribers non-subscribers	1 users	1 users
Service provider involved	Yes	Yes	Yes
Types of users who pay subscriptions	2 clients subscribers	1 users	1 users
Clients subscription fees can be offset by other users	Yes	No	No
Types of users who do not pay subscription fees	1 non-subscribers	none	none
No. of parties receiving payments	1 provider	1 provider	2 Provider Copyright Owners
Clients invites other users to join	Yes	No	No
Clients' defined communities exist	Yes	No	No
Clients' manage subscription-related activities in their own defined communities	Yes	No	No
If clients' subscription plan and usage are the same in two subscription periods, the two subscription charges should be the same.	Not necessarily, it also depends on the credit generated by external revenue	Yes	Yes
Clients are responsible for the subscription fees of their entire communities, which includes other users.	Yes	No	No

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Petition to make special – Page Four

In view of that, the business model to which my method applies is significantly different than that of the two patents and anything exist out in the market place today.

My method can be applied to enterprise application in hosted environment. Since enterprise applications have been around for decades and this method has not been used, it is clearly not an obvious method. I believe my invention is patentable.

I hereby verify that the above is true statement.

Respectfully submitted,

Edmund M. Kwan

Date: June 25, 2002

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